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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH: Hon'ble Shri S.R. Nayak, CJ

Writ Petition No.365 OF 2006

PETITIONER Sanjay Singh, Aged about 30 years, S/o. Shri Mata Bux Singh, R/o. Imlipara, Near Bus Stand, Bilaspur (C.G.)

Versus

RESPONDENTS

1. State Transport Authority, Near New Bus Stand, Pandri, Raipur (C.G.)
2. Regional Transport Authority, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
3. Adarsh Travels Bus Services, Through Manager, I.B. Shrivastava, Bus Stand Road, Bilaspur (C.G.)

Present:

Shri Anand Kumar Tiwari, learned counsel for the petitioner.

Shri Sanjay S Agrawal, learned Govt. Advocate for the State.

ORAL ORDER
(Passed on 23rd of January 2006)

The petitioner and respondent No. 3 applied for grant of permit on the route of Bilaspur to Sarangarh via Shivrinarayan. The petitioner made application on 19-09-2005 whereas the 3rd respondent made application on 04-04-2005. It is stated that the R.T.A., the 2nd respondent herein, without clubbing the rival applications took up the application of the 3rd respondent for consideration and by his order dated 19-09-2005 rejected the application of the 3rd respondent. The 3rd respondent being aggrieved by the said order preferred appeal to the State Transport Appellate Tribunal and the said Tribunal having allowed the appeal remanded the proceedings to the 2nd respondent to reconsider the application of the 3rd respondent, vide its order dated 17-01-2006. When the matter stands

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thus, this writ petition is filed complaining that the 2nd respondent in the first instance ought to have clubbed both the rival applications, considered them together and passed appropriate order. It is well settled that if more than one application is received for grant of permit or licence, even in the absence of statutory requirement to club such applications, it is fair and just that rival applications shall be clubbed, heard or considered together and appropriate orders are passed by the statutory authority. In that view of the matter, it is open for the petitioner now to move an application before the 2nd respondent to club his application dated 19-09-2005 with the application of the 3rd respondent dated 04-04-2005 for grant of permit on the aforementioned route and consider them together. Reserving such liberty to the petitioner, the writ petition is disposed of. No costs.

Sd/-
Hon'ble the Chief Justic

Brijesh